IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CUSTOMS APPEAL NO. 25 OF 2005

The Commissioner of Customs
(Imports), Mumbai. ... Appellant.

V/s.

M/s.Zephyr Impex. ... Respondent.

A.J.Rana, senior counsel with Mrs.S.V.Bharucha
for the appellant.

R.R.Shah for the respondent.

CORAM : V.C.DAGA AND J.P.DEVADHAR, JJ.

DATED : 22nd September 2005.

P.C. :

. Heard.

. During the course of hearing, both parties agree that the amended Export and Import Policy published by public notice was not brought to the notice of the Tribunal. In that view of the matter, they further agree that the impugned order be set aside by consent of parties and the matter be remitted back for consideration afresh. In view of this joint submission, the impugned order is quashed and set aside and this matter is remitted back to the Tribunal for consideration de novo taking into account amended Export and Improt Policy for the relevant period.

. We hope that the Tribunal will dispose of the matter as expeditiously as possible with a reasoned order following principles of natural justice.

. Appeal is disposed of in term of this order with no order as to costs.

(J.P.DEVADHAR, J.) **(V.C.DAGA, J.)**